

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

TAMMY L. BROOKS,)	
)	
Plaintiff,)	
)	
vs.)	CIVIL NO. 18-cv-1538-CJP ¹
)	
COMMISSIONER of SOCIAL SECURITY,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

PROUD, Magistrate Judge:

Before the Court is the parties' Agreed Motion for Remand to the Commissioner. **(Doc. 16)**.

The parties ask that this case be remanded for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g). A sentence four remand (as opposed to a sentence six remand) depends upon a finding of error, and is itself a final, appealable order. See, *Melkonyan v. Sullivan*, 501 U.S. 89 (1991); *Perlman v. Swiss Bank Corporation Comprehensive Disability Protection Plan*, 195 F.3d 975, 978 (7th Cir. 1999). Upon a sentence four remand, judgment should be entered in favor of plaintiff. *Shalala v. Schaefer*, 509 U.S. 292, 302-303 (1993).

The parties agree that, upon remand, "Plaintiff will be provided with the opportunity for a hearing and to submit additional evidence and arguments.

¹ This case was assigned to the undersigned for final disposition upon consent of the parties pursuant to 28 U.S.C. §636(c). See, Doc. 8.

Additionally, on remand, the ALJ will: (1) further evaluate the medical evidence, including medical opinion evidence; (2) reassess Plaintiff's residual functional capacity and provide appropriate rationale with specific references to evidence of record in support of the assessed limitations; (3) if necessary, obtain evidence from a medical expert; (4) if necessary, obtain supplemental evidence from a vocational expert; and (5) issue a new decision."

Plaintiff applied for disability benefits in April 2014. (Tr. 18). While recognizing that the agency has a full docket, the Court urges the Commissioner to expedite this case on remand.

For good cause shown, the parties' Agreed Motion for Remand to the Commissioner (**Doc. 16**) is **GRANTED**.

The final decision of the Commissioner of Social Security denying plaintiff's application for social security benefits is **REVERSED and REMANDED** to the Commissioner for rehearing and reconsideration of the evidence, pursuant to sentence four of 42 U.S.C. § 405(g).

The Clerk of Court is directed to enter judgment in favor of plaintiff.

IT IS SO ORDERED.

DATED: January 10, 2019.

s/ Clifford J Proud
CLIFFORD J. PROUD
UNITED STATES MAGISTRATE JUDGE